



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Greenberg, et. Al.	Art Unit:	Unassigned
Serial No.:	09/976,799	Examiner:	Unknown
Filed:	October 12, 2001		
Docket No.:	S100DIV1		
For:	Package for an Implantable Medical Device		

**Assistant Commissioner
For Patents
Washington, D.C. 20231**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

11/9/01
[Signature]
Emily M. Stuart

PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. 1.48(a)

Dear Sir:

Pursuant to 37 C.F.R. 1.148(a), Applicant hereby petitions the Commissioner to correct inventorship in the above-identified patent application. As supported by the enclosed declarations of Robert J. Greenberg and Joseph H. Schulman, applicant, without deceptive intent, incorrectly named the inventors in the declaration filed in the parent application, Retinal Color Prosthesis for Color Sight Restoration, 09/515,373, filed February 29, 2000. The correct inventorship is shown in the new declaration provided herewith.

Respectfully submitted,

11/8/01
Date

[Signature]
Scott B. Dunbar
Attorney for Applicant
Reg. No. 37,124

Second Sight, LLC
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Serial No. 09/976,799



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Emily M. Stuart

**DECLARATION OF ROBERT J. GREENBERG IN SUPPORT OF A
PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. 1.548**

Dear Sir:

I, Robert J. Greenberg, state and declare:

1. I am president of Second Sight, LLC, and an originally named inventor in the parent to the present application, US patent application, Retinal Color Prosthesis for Color Sight Restoration, 09/515,373, filed February 29, 2000 (the "original application").
2. As part of my work for Second Sight, LLC, I met regularly with Brian V. Mech prior to, and after, the filing the original application. At these meetings we discussed the subject matter of the invention disclosed in the original application. Brian suggested several coatings and methods of coating for the subject retinal prosthesis. These coatings form part of the subject matter which is claimed in the present divisional application.

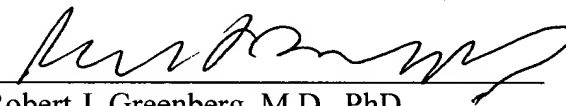
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3. It was a mere oversight that Brian Mech was not named as an inventor in the original application. Neither I, nor Second Sight, LLC had any deceptive intent in not naming Brian Mech as an inventor in the original application.
4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

11/8/01
Date


Robert J. Greenberg, M.D., PhD

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